

31. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
MALONEY OF NEW YORK, OR
HER DESIGNEE, DEBATABLE FOR 10 MINUTES:

52

**AMENDMENT TO H.R. 1950, AS REPORTED
OFFERED BY MRS. MALONEY OF NEW YORK AND
MR. LANTOS OF CALIFORNIA**

In division B of the bill—

(1) redesignate title XVII as title XVIII (and conform all sections therein accordingly and conform the table of contents); and

(2) insert after title XVI the following new title (and conform the table of contents accordingly):

1 **TITLE XVII—ACCESS FOR**
2 **AFGHAN WOMEN**

3 **SEC. 1701. SHORT TITLE.**

4 This title may be cited as the “Access for Afghan
5 Women Act of 2003”.

6 **SEC. 1702. FINDINGS.**

7 Congress makes the following findings:

8 (1) Despite the removal of the Taliban from
9 power, women in Afghanistan continue to experience
10 brutal and frequent violation of their human rights,
11 generally outside of Kabul where warlords are re-
12 exerting control.

13 (2) Strong and continued support from the
14 United States and the international community can
15 ensure that the advances made by Afghan women



1 since the fall of the Taliban will continue and grow,
2 rather than recede.

3 (3) While the United States and the inter-
4 national community continue to make substantial
5 contributions to emergency humanitarian and relief
6 operations in Afghanistan, the establishment of a
7 stable, peaceful, prosperous, and democratic Afghan-
8 istan with a broad-based, multi-ethnic, gender-sen-
9 sitive, and fully representative government requires
10 a significant increase in long-term investments in de-
11 velopment and reconstruction assistance.

12 (4) The maternal mortality rate in Afghanistan
13 is among the highest in the world, with recent re-
14 ports estimating that every 30 minutes an Afghan
15 woman dies of pregnancy related causes, or approxi-
16 mately 15,000 women every year. The estimated ma-
17 ternal mortality rate of 1,600 deaths per 100,000
18 live births can be significantly reduced through ac-
19 cess to primary health care services, including safe
20 birthing supplies, emergency obstetric care, prenatal
21 and postnatal care, contraception, and prevention
22 and treatment for the effects of sexual coercion and
23 rape.



1 (5) Women comprise 75 percent or more of the
2 refugees and internally displaced in camps, urban
3 areas, and villages in Afghanistan.

4 (6) 85 percent of Afghanistan's population lives
5 in rural areas. The women in rural areas perform
6 vital roles in food production, processing, and prepa-
7 ration. Successful reconstruction and development
8 assistance must target rural women as part of any
9 agricultural interventions.

10 (7) Within Afghanistan and outside of Afghani-
11 stan, local women's organizations are delivering crit-
12 ical services and have the knowledge and experience
13 to assist the United States in delivering effective re-
14 lief aid.

15 (8) The Afghan Ministry for Women's Affairs is
16 an important ministry that is essential for re-estab-
17 lishing women's human rights, ensuring that women
18 are included in all development efforts, and deliv-
19 ering critical legal, health, education, and economic
20 services to women throughout Afghanistan's 30
21 provinces.

22 (9) Afghan women are taking the initiative to
23 reach across the conflict divide and foster peace.
24 Women's perspectives and experiences in seeking so-



1 lutions to conflicts are necessary to ensure lasting
2 peace.

3 (10) The inadequate security situation in Af-
4 ghanistan disproportionately impacts women and
5 girls as the lack of rule of law results in the frequent
6 assault, kidnapping, and sexual abuse of Afghan
7 women and girls throughout Afghanistan.

8 (11) Despite significant improvements in
9 healthcare and education infrastructure for women
10 and girls in Afghanistan, the lack of security and
11 rule of law throughout most of Afghanistan effec-
12 tively denies access to these facilities and the critical
13 services they provide.

14 **SEC. 1703. ESTABLISHMENT OF AFGHAN WOMEN'S FUND.**

15 (a) **ESTABLISHMENT.**—The Administrator of the
16 United States Agency for International Development shall
17 establish a fund for the purpose of assisting women and
18 girls in Afghanistan in the areas of political and human
19 rights, health care, education, training, security, and shel-
20 ter.

21 (b) **ACTIVITIES SUPPORTED.**—The fund established
22 under subsection (a) shall support the activities described
23 in section 103(a)(7) of the Afghanistan Freedom Support
24 Act of 2002 and the following activities:



1 (1) Direct financial and programmatic assist-
2 ance to the Ministry of Women's Affairs in Afghani-
3 stan (hereafter in this section referred to as the
4 "Ministry") to promote the strengthening of the
5 Ministry as the Government of Afghanistan con-
6 tinues its transition to a long-term government
7 structure and to enable the Ministry to fulfill its
8 mandate. The Ministry may use such assistance to
9 support activities such as the following:

10 (A) Multiyear women-centered economic
11 development programs, including programs to
12 assist widows, female heads of household,
13 women in rural areas, and disabled women.

14 (B) Collaboration with the Ministry of
15 Health to construct culturally appropriate
16 health infrastructure and delivery of high-qual-
17 ity comprehensive health care programs, includ-
18 ing primary, maternal, child, reproductive, and
19 mental health care.

20 (C) Programs to prevent trafficking in per-
21 sons, assist victims, and apprehend and pros-
22 ecute traffickers in persons.

23 (2) Direct financial assistance to the National
24 Human Rights Commission of Afghanistan.



1 (3) Construction of women's educational facili-
2 ties in Afghanistan.

3 (c) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to carry out this section
5 not less than \$22,500,000 for each of the fiscal years
6 2003, 2004, and 2005 and such sums as are necessary
7 for each subsequent fiscal year.

8 **SEC. 1704. ASSISTANCE TO AFGHANISTAN.**

9 Notwithstanding any other provision of law, not less
10 than 15 percent of the aggregate amount of economic and
11 humanitarian assistance authorized to be appropriated
12 under section 1703(c) to be made available to Afghanistan
13 for each of the fiscal years 2003, 2004, and 2005 shall
14 be made available for assistance directly to Afghan-led
15 local nongovernmental organizations, including Afghan
16 women-led organizations, with demonstrated experience in
17 delivering services to Afghan women and children to sup-
18 port their programmatic activities and organizational de-
19 velopment. In recognition of the appreciating capacity of
20 Afghan-led local nongovernmental organizations, including
21 Afghan women-led organizations, an appropriate percent-
22 age of the aggregate amount of economic and humani-
23 tarian assistance authorized to be made available to Af-
24 ghanistan for fiscal year 2006 and each subsequent fiscal
25 year shall be made available for assistance directly to Af-

1 ghan-led local nongovernmental organizations, including
2 Afghan women-led organizations.

3 **SEC. 1705. REQUIREMENTS RELATING TO UNITED STATES**
4 **ACTIVITIES IN AFGHANISTAN.**

5 (a) **IN GENERAL.**—Activities described in subsections
6 (b) through (e) that are carried out by the United States
7 in Afghanistan should comply with the applicable require-
8 ments contained in such subsections.

9 (b) **GOVERNANCE OF AFGHANISTAN.**—With respect
10 to the governance of Afghanistan, the applicable require-
11 ments are the following:

12 (1) Include the perspectives and advice of Af-
13 ghan women's organizations, networks, and leaders
14 in United States policymaking related to the govern-
15 ance of Afghanistan.

16 (2) Promote the inclusion of a significant num-
17 ber of women in future legislative bodies to ensure
18 that women's full range of human rights are in-
19 cluded and upheld in any constitution or legal struc-
20 tures of Afghanistan.

21 (3) Encourage the appointment of women to
22 high level positions within Afghan Ministries.

23 (c) **POST-CONFLICT RECONSTRUCTION AND DEVEL-**
24 **OPMENT.**—With respect to activities relating to post-con-



1 flict stability in Afghanistan, the applicable requirements
2 are the following:

3 (1) Encourage United States organizations that
4 receive funds authorized by this title to partner with
5 or create Afghan-led counterpart organizations and
6 provide these organizations with significant financial
7 resources, technical assistance, and capacity build-
8 ing.

9 (2) Increase women's access to or ownership of
10 productive assets such as land, water, agricultural
11 inputs, credit, and property.

12 (3) Provide long-term financial assistance for
13 primary, secondary, higher, nontraditional, and voca-
14 tional education for Afghan girls, women, boys, and
15 men.

16 (4) Integrate education and training programs
17 for former combatants with economic development
18 programs to encourage their reintegration into soci-
19 ety and to promote post-conflict stability.

20 (5) Provide assistance to rehabilitate children
21 affected by the conflict, particularly child soldiers.

22 (6) Support educational efforts to increase
23 awareness with respect to landmines, facilitate the
24 removal of landmines, and provide services to indi-
25 viduals with disabilities caused by landmines.



1 (d) AFGHAN MILITARY AND POLICE.—With respect
2 to training for military and police forces in Afghanistan,
3 the applicable requirements are the following:

4 (1) Include training on the protection, rights,
5 and the particular needs of women and emphasize
6 that violations of women's rights are intolerable and
7 should be prosecuted.

8 (2) Encourage such trainers who will carry out
9 the activities in paragraph (1) to consult with wom-
10 en's organizations in Afghanistan to ensure that
11 training content and materials are adequate, appro-
12 priate, and comprehensive.

13 (e) RELIEF, RESETTLEMENT, AND REPATRIATION OF
14 REFUGEES AND INTERNALLY DISPLACED PERSONS.—
15 With respect to the relief, resettlement, and repatriation
16 of refugees and internally displaced persons in Afghani-
17 stan, the applicable requirements are the following:

18 (1) Take all necessary steps to ensure that
19 women refugees and internally displaced persons in
20 camps, urban areas, and villages are directly receiv-
21 ing food aid, shelter, relief supplies, and other serv-
22 ices from United States-sponsored programs.

23 (2) Take all necessary steps to ensure that
24 women refugees in camps, urban areas, and villages
25 are accessing high-quality health and medical serv-

1 ices, including primary, maternal, child, and mental
2 health services.

3 (3) Take all necessary steps to ensure that
4 women and children in refugee camps are protected
5 from sexual exploitation.

6 (4) Take all necessary steps to ensure refugees
7 and internally displaced persons that seek to return
8 to their place of origin can do so voluntarily, safely,
9 and with the full protection of their rights. United
10 States-sponsored efforts shall not coerce refugees or
11 internally displaced persons to return to their places
12 of origin.

13 **SEC. 1706. REPORTING REQUIREMENTS.**

14 Not later than 60 days after the date of the enact-
15 ment of this Act, and annually thereafter, the President
16 shall prepare and transmit to Congress a report that con-
17 tains documentation of the progress in implementing the
18 requirements of section 1705. All data in the report shall
19 be disaggregated by gender.

